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Attorneys for Plaintiff Rates Technology Inc.

## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

RATES TECHNOLOGY INC.,

CASE NO. 05 CV 4703 (ADS)(ETB)

Plaintiff,

- against -

NOTICE OF MOTION TO ADMIT

**COUNSEL PRO HAC VICE** 

GOOGLE INC.,

.

Defendant.

**ECF CASE** 

TO: Google Inc.

1440 Broadway, 21<sup>st</sup> Floor, New York, New York 10018

PLEASE TAKE NOTICE that upon the annexed declaration of James B. Hicks and the Certificate of Good Standing annexed thereto I will move this Court before the Honorable Arthur D. Spatt at the United States Courthouse for the Eastern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States Courts for the Southern and

Eastern Districts of New York for an Order allowing the admission of James B. Hicks, a member of the firm of Ervin, Cohen & Jessup, LLP and a member in good standing of the Bar of the State California, as attorney *pro hac vice* to argue or try this case in whole or in part as counsel. Defendant, Google, Inc. has not yet been served with summons and complaint in this action and therefore has not appeared. There are no pending disciplinary proceedings against me in any State or Federal Court.

Dated: October 26, 2005

David Lazer (DL7441)

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Attorneys for Plaintiff Melville Law Center

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Attorneys for Plaintiff Rates Technology Inc.

# UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

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RATES TECHNOLOGY INC., :

CASE NO. 05 CV 4703 (ADS)(ETB)

Plaintiff.

- against - : ADMISSION TO PRACTICE

PRO HAC VICE

GOOGLE INC.,

ECF CASE

Defendant.

The motion for admission *pro hac vice* in the above captioned matter is granted. The admitted attorney, James B. Hicks, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Dated:

U,S.D.J.

cc: James B. Hicks, Esq.

#### ERVIN, COHEN & JESSUP LLP

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James B. Hicks (JH7861), of counsel

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Attorneys for Plaintiff Rates Technology Inc.

### UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

RATES TECHNOLOGY INC.,		;	AFFIDAVIT OF JAMES B. HICKS
	Plaintiff,	; ;	IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE
VS.		:	Civil Action No. 05-4703 ADS ETB
GOOGLE INC.	Defendant.	: :	ECF CASE
		X	
State of New York )	ss:		
County of New York)			

JAMES B. HICKS, being sworn, herby deposes and says as follows:

- 1. I am an partner with the law firm of Ervin, Cohen & Jessup.
- 2. I submit this affidavit in support of my motion for admission to practice pro hac vice in the above-captioned matter.
- 3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of California.

- There are no pending disciplinary proceedings against me in any State or Federal 4. court.
- Wherefore your affiant respectfully submits that he be permitted to appear as 5. counsel and advocate pro hac vice in this one case.

By:

James B. Hicks Ervih, Cohen & Jessup 9401 Wilshire Boulevard, Ninth Floor Beverly Hills, CA 90212 jhicks@ecilaw.com (310) 273-6333

Dated:



180 HOWARD STREET SAN FRANCISCO, CALIFORNIA 94105-1639 TELEPHONE (415) 538-2000

August 11, 2005

#### TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JAMES B. HICKS was admitted to the practice of law in this state by the Supreme Court of California on September 12, 1983; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; that the public record states that information has been provided pursuant to Business and Professions Code section 6086.1(c); and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Waffa N Salfiti

Custodian of Membership Records